

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NOS. 2007-392-T and 2009-277-T - ORDER NO. 2010-24
JANUARY 21, 2010

IN RE: Docket No. 2007-392-T – Application of)	ORDER GRANTING
Sellers Transfer, Inc. to Transfer Class E)	PETITION FOR
(Household Goods) Certificate of Public)	RECONSIDERATION OF
Convenience and Necessity No. 424-D to)	ORDER NO. 2009-902
Sellers Transfer, LLC)	
)	
and)	
)	
Docket No. 2009-277-T – Petition of the)	
Office of Regulatory Staff for Commission to)	
Order a Rule to Show Cause as to Why the)	
Certificates of Public Convenience and)	
Necessity for Certain Motor Carriers Should)	
Not Be Revoked for Failure to File Annual)	
Reports)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request of the Office of Regulatory Staff (“ORS”) for reconsideration of Commission Order No. 2009-902, wherein this Commission granted reinstatement of Sellers Transfer, LLC’s (“Sellers” or “Company”) Class E Certificate of Public Convenience and Necessity No. 424-D.

Sellers is certificated by this Commission to transport household goods in South Carolina under a Class E Certificate of Public Convenience and Necessity (Order No. 2008-233). On October 14, 2009, Sellers’ Certificate No. 424-D was revoked in a Rule to Show Cause proceeding for the Company’s failure to file an Annual Report as required under 26 S.C. Code Ann. Regs. 103-231 (Supp. 2009). *See* Docket No. 2009-277-T,

Order No. 2009-715. Subsequently, Sellers petitioned the Commission for reinstatement of its certificate, representing that the required Annual Report had been filed. As such, the Commission issued Order No. 2009-902 on December 18, 2009, granting the reinstatement of Sellers' certificate. However, through ORS' correspondence of December 23, 2009, the Commission was made aware that Sellers had not actually filed an Annual Report. Instead, Sellers had attached a Gross Receipts Report to the reinstatement request purporting to provide the Annual Report; therefore, the Company remains out of compliance with the Annual Report requirement. Consequently, ORS requests that the Commission reconsider its Order No. 2009-902, which reinstated Sellers' operating authority. Further, ORS advises that Sellers' insurance policies lapsed on October 31, 2009.

As we stated in Order No. 2009-902, the grant of the Company's certificate was "subject to compliance with all applicable statutes and the Commission's Rules and Regulations," and that "prior to compliance with all applicable statutes and the Commission's Rules and Regulations, the motor carrier services authorized by the Certificate shall not be provided." Sellers has failed to do so, and therefore, the petition for reconsideration of Order No. 2009-902 filed by ORS is granted. Upon Sellers' compliance with the Commission's Rules and Regulations, ORS is hereby authorized to reinstate Sellers' Certificate. Prior to such compliance and reinstatement, the regulated motor carrier services approved by this Commission shall not be provided by the Company.

IT IS THEREFORE ORDERED:

1. That the Office of Regulatory Staff's Petition for Reconsideration of Order No. 2009-902 is granted.

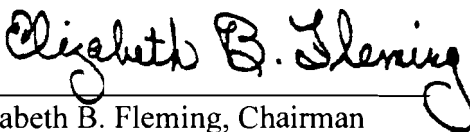
2. That Class E (Household Goods) Certificate of Public Convenience and Necessity No. 424-D of Sellers Transfer, LLC remains revoked subject to compliance with all Commission Rules and Regulations.

3. That upon compliance with all applicable statutes and the Commission's Rules and Regulations, the operating rights authorized under the Certificate shall be reinstated by the Office of Regulatory Staff.

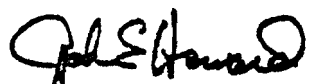
4. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, the motor carrier services authorized by the Certificate shall not be provided.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)